

### REMARKS

Claim 15 has been amended to recite a specific group of compounds represented by the generic formula presented. No new matter is added; support for this amendment can be found, for example, on page 12, second paragraph.

#### Claim Objections

Claim 15 was objected to because of the word “in” appearing on line 3 of the claim. This word has been deleted from the claim, thus obviating this objection.

#### Rejections Under 35 USC § 112

Claim 19 was rejected under 35 USC § 112, second paragraph, as being indefinite. Applicant traverses this rejection and respectfully submits that Claim 19 is not indefinite, and that the intent of the claim is clear.

Applicant would like to draw the Examiner’s attention to page 13, third paragraph of the specification, beginning at line 21, which describes that a low porosity overlay, which is not shown in the figures, can be provided as an additional overlay in order to seal moisture in the structure. The low porosity overlay can be applied, for example, as a self-bonding coating established in situ or as a preformed element secured to the surface. This paragraph of the specification has been amended to more clearly explain that the low porosity overlay is applied above the overlay shown by number 30 in the figures.

#### Rejections Under 35 USC § 103

Claims 15-17, 20-22 and 24-26 have been rejected under 35 USC § 103(a) as being unpatentable over Tatematsu et al. (US 5,435,846) in view of Martin et al. (CA 1,258,473). Applicant respectfully traverses this rejection.

As amended, Claim 15 recites a specific category of compounds which excludes the compounds shown in Tatematsu et al.. Martin et al. uses different compounds altogether – hydroxyalkylamines, which provide a completely different chemistry to the concrete slurry. There is no teaching or suggestion in either Tatematsu et al. nor Martin et al. that the compounds of the present invention can be employed in a slurry whereby the corrosion-inhibiting compound migrates from the slurry through the cured concrete structure, and therefore the references cannot be combined to produce this result. As Martin et al. shows a completely different chemistry, one skilled in the art would have no way of knowing whether the present

compounds would provide the same effect when employed in a slurry used as an overlay. Applicant respectfully submits that Claims 15-17, 20-22 and 24-26 are not obvious in view of this combination of references and requests withdrawal of this basis of rejection.

Claims 18 and 19 were rejected under 35 USC § 103(a) as being unpatentable over Tatematsu et al. in view of Martin et al. as applied to Claims 15 and 17 above, and further in view of Hoopes et al. (US 5,422,141).

Hoopes is apparently cited for its teaching of a cementitious overlay. However, Hoopes also uses completely different compounds, which provide a completely different chemistry to the composition. Hoopes uses alkali metal and alkaline earth metal nitrites and other compounds in combination with a penetration enhancer which is an alcohol, an alkali metal salt of gluconic acid, an alkyl-substituted benzene, or a combination of these. There is no suggestion in Hoopes to use the compounds of the present invention, and no teaching or suggestion that any compounds can be used successfully without the presence of the accompanying penetration enhancers. Thus Hoopes does not provide the missing teaching, namely, the compounds of the present invention, found lacking in the other references cited in this rejection.

Claim 23 was rejected under 35 USC § 103(a) as being unpatentable over Tatematsu et al. in view of Martin as applied to Claims 15, 16 and 22, and further in view of JP09286652. Applicant respectfully submits that the amendments made to Claim 15 obviate this basis of rejection. None of the presently claimed compounds are shown in the Japanese reference, and Claim 15 does not embrace the use of hydrotalcite ( $\text{Mg}_6\text{Al}_2(\text{CO}_3)(\text{OH})_{16} \cdot 4\text{H}_2\text{O}$ ) and hydroxyapatite ( $\text{Ca}_{10}(\text{PO}_4)(\text{OH})_2$ ).

Claims 27-31 were rejected under 35 USC § 103(a) as being unpatentable over Tatematsu et al. in view of Marazzani et al. (US 6,402,990). Marazzani is cited for teaching that a solution of corrosion inhibitors can be applied to the surface of a concrete structure. Applicant respectfully traverses this basis of rejection and submits that the present invention is not obvious in view of this combination of references.

Marrazani, as with the other cited references, teaches a completely different category of corrosion-inhibiting compounds than those used in the present invention. The compounds of Marrazani are amino- and/or hydroxyalkylamino

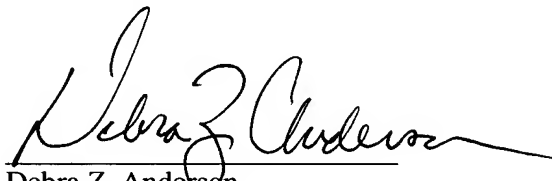
compounds neutralized with an inorganic acid or the like, and are used in combination with a surfactant, which is disclosed as a penetration enhancer. There is no teaching in Marazzani that the compounds of the present invention can be provided in solution on top of a concrete structure. Therefore, these references cannot be combined to arrive at the present invention.

Applicant respectfully submits that none of the cited references, teach or suggest the present invention, either alone or in combination. Applicant requests withdrawal of all §103 bases of rejection.

**Summary**

As all outstanding issues have been addressed, Applicant respectfully submits that Claims 15-31 are in condition for allowance; such action is respectfully requested at an early date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Debra Z. Anderson", written over a horizontal line.

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